REMARKS

Claims 1-8 and 11-24 are pending, of which claim 1 is an independent method claim with corresponding independent computer program product claim 19, claim 17 also is an independent method claim, and claim 24 is an independent wireless network claim. As indicated above, claims 1, ?? have been amended by this paper.[1] Applicants note for the record that the amendments to the dependent claims have been made solely to make them consistent with the language used in the corresponding independent claims.

The Non-final Office Action, mailed May 5, 2005, considered claims 1-8 and 11-24. The pending independent claims (1, 17, 19, and 24) and some of the pending dependent claims (2-5, 9-11, 18, and 21-23) were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,748,195 to Phillips ("*Phillips*"). Other dependent claims (6, 7, 16, and 20) were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Phillips* in view of U.S. Patent No. 6,665,521 to Gorday et al. ("*Gorday*"). The remaining dependent claims (8 and 12-15) were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Gorday* and *Phillips* in view of U.S. Patent No. 6,694,143 to Beamish et al. ("*Beamish*").[2]

Applicants' invention, as claimed for example in amended independent method claim 1, relates to fulfilling a request. The method includes: receiving a user selection of one or more items the source wireless device is to send; detecting the local presence of a plurality of destination wireless devices that are available to receive items in response to receiving the user selection of the one or more items the source wireless device is to send; for each detected locally present destination wireless device in the plurality of destination wireless devices: identifying one or more different wireless technologies that the detected locally present destination device is capable of using, each different wireless technology corresponding to a distinct communication path from the source wireless device to the locally present destination wireless device such that the one or more items can be transferred from the source wireless device to the locally present destination device in accordance with one or more different wireless transfer technologies over a corresponding one or more distinct communication paths respectively; the source wireless device

[1]Support for the amendments can be found throughout the Specification, and particularly within paragraphs [0022], [0037]-[0049], and within Figures 5-6.

[2]Although the prior art status of all cited art is not being challenged at this time, Applicants reserve the right to do so in the future. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

presenting one selectable entry for each of the detected locally present destination wireless devices at a unified user interface, each selectable entry representing a detected locally present destination wireless device independent of different wireless transfer technologies the locally present destination wireless device is capable of using and independent of the number of distinct communication paths from the source wireless device to the detected locally present destination wireless device; receiving a user selection of a selectable entry for one or more detected locally present destination wireless devices without requiring separate user selection of a wireless transfer technology for transferring the one or more items to each of the one or more selected locally present destination wireless devices; and automatically, and without user intervention, identifying a distinct communication path for each of the one or more selected locally present destination wireless devices in response to the received user selections, each identified distinct communication path corresponding to a wireless technology to use when transferring the one or more items to a selected locally present destination wireless devices.

Independent method claim 17 is a similar method claim similar to method claim 1 including functional language. Independent claim 19 is a corresponding computer program product claim to method claim 1. Independent claim 24 is a wireless network claim directed to a wireless network configured to implement the method of claim 1.

Phillips discloses a wireless device having context based operational behavior. A wireless device uses profiles associated with one or more contexts, which defines various operating situations. (Abstract). User's can setup profile configurations through a user interface and assign them to be used within a context. (Col. 6, ll. 31-33). Contexts can be location based, for example, corresponding to a user's home, office, and other locations and the operational parameters of a wireless device can be changed to correspond to specified parameters in a profile when the location of a wireless device changes. (Col. 6, l. 49 – Col. 7, l. 2). Various wireless links that support defined protocols may be used. (Col. 3, ll. 28-32).[3] A service discovery protocol (SDP) can be used to locate services provided by or through a service provider. The set

[3]*Phillips* is silent on whether multiple protocols can be simultaneously supported per link between wireless devices and on whether multiple links utilizing different protocols can exist between wireless devices. However, depicted in Figure 1 there is a single radio module 18 and each indicated link is labeled with the same number 17. Thus, it may be inferred that while the links 17 potentially support various protocols, that within Figure 1 the same protocol is used to communicate between all wireless devices 12.

of SDP servers that are available to an SDP client can change dynamically based on the RF proximity of the servers to the client. (Col. 5, l. 1 – Col. 5, l. 34).

Thus, *Phillips* discloses a wireless device having context based operational behavior. However, *Phillips* does not suggest or disclose detecting the local presence of a plurality of destination wireless devices that are available to receive items in response to receiving a user selection of one or more items the source wireless device is to send. Accordingly, at least for this reason amended claim 1 overcomes the rejections of record.[4] Further, *Phillips* does not suggest or disclose for each detected locally present destination wireless device in the plurality of destination wireless devices: identifying one or more different wireless technologies that the detected locally present destination device is capable of using, each different wireless technology corresponding to a distinct communication path from the source wireless device to the locally present destination wireless device such that the one or more items can be transferred from the source wireless device to the locally present destination device in accordance with one or more different wireless transfer technologies over a corresponding one or more distinct communication paths respectively. Accordingly, at least for this reason amended claim 1 overcomes the rejections of record.

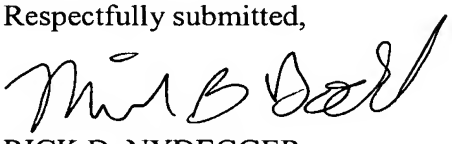
In view of the foregoing, all of the pending claims patentable define over the prior art of record. Favorable reconsideration and allowance is respectfully requested.

[4] The office action appears to cite *Gorday* for teaching that a user can identifies a group of available partners. However, applicants note that cooperation among wireless devices to form a cooperative diversity network is limited to the secondary (e.g., Bluetooth) protocol. (Col. 2, ll. 21-39).

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 5th day of August, 2005.

Respectfully submitted,



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